



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,894	08/29/2001	Eric D. Anderson	500247.02	2382
7590	07/01/2005		EXAMINER	
Mark W. Roberts, Esq. DORSEY & WHITNEY LLP Suite 3400 1420 Fifth Avenue Seattle, WA 98101			ENGLAND, DAVID E	
			ART UNIT	PAPER NUMBER
			2143	
DATE MAILED: 07/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/943,894

Applicant(s)

ANDERSON, ERIC D.

Examiner

David E. England

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11 - 29 and 37 - 44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11 - 29 and 37 - 44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 11 – 29 and 37 – 44 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 11 – 13, 16 – 24, 27 – 29, 37 – 39 and 41 - 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon (6067561) in view of Aronson et al. (6654787) (hereinafter Aronson) in further view of Arnold (6275848).

4. As per claim 11, as closely interpreted by the Examiner, Dillon teaches a computer-implemented method for sending an Email communication to recipients, the method comprising:

5. providing an Email communication program on a server that performs the acts of:
6. receiving an Email communication, including an indication of at least one recipient to receive the Email communication, (e.g. col. 1, line 25 – col. 2, line 38);
7. if it is determined that multiple recipients have been indicated,

Art Unit: 2143

a. notifying each of the multiple recipients of the Email to communication without sending the Email communication to the recipients, (e.g. col. 1, line 25 – col. 2, line 38 & col. 3, lines 12 – 65);

8. in response to a request for the Email communication from a recipient, sending the Email communication to the recipient, (e.g. col. 1, line 25 – col. 2, line 38 & col. 3, lines 12 – 65).

Dillon does not specifically teach determining by the Email communication program, whether multiple recipients of the Email communication have been indicated in the received indication receiving an Email communication, including an indication of at least one recipient to receive the Email communication;

9. if it is determined that multiple recipients have been indicated,

10. storing a single copy of the Email communication on the server.

11. Aronson teaches receiving an Email communication, including an indication of at least one recipient to receive the Email communication, (e.g. col. 5, lines 20 – 67 & col. 10, line 65 – col. 11, line 5);

12. if it is determined that multiple recipients have been indicated,

13. storing a single copy of the Email communication on the , (e.g. col. 5, lines 20 – 67 & col. 10, line 65 – col. 11, line 5). It would have been obvious to one skilled in the art at the time the invention was made to combine Aronson with Dillon because storing only one copy of a message in a server conserves significant space.

14. Arnold teaches determining by the Email communication program, whether multiple recipients of the Email communication have been indicated in the received indication, (e.g. col. 4, line 25 – col. 5, line 25). It would have been obvious to one skilled in the art at the time the

Art Unit: 2143

invention was made to combine Arnold with the combine system of Dillon and Aronson because it would be more efficient for a system to acknowledge when multiple recipients have been indicated so if the sender needed to know which recipient did not receive an Email the sender could resend the Email to the recipients that are missing the Email or have misplaced it.

15. As per claim 12, as closely interpreted by the Examiner, Dillon teaches if it is determined that multiple recipients have not been indicated, sending the Email communication to the recipient without waiting for a request for the Email communication, (e.g. col. 1, line 25 – col. 2, line 6).

16. As per claim 13, as closely interpreted by the Examiner, Dillon teaches the use of storing and sending Email communication but does not specifically teach tracking the sending of the Email communication to the recipients; and

17. when the Email communication has been sent to all of the recipients, deleting the stored Email communication by the Email communication program. Arnold teaches tracking the sending of a communication to the recipients, (e.g. col. 4, line 25 – col. 5, line 25); and

18. when a communication has been sent to all of the recipients, deleting the stored Email communication by the Email communication program, (e.g. col. 4, line 25 – col. 5, line 25). It would have been obvious to one skilled in the art at the time the invention was made to combine Arnold's limitation of deleting an attachment after all recipients have viewed it with Dillon's limitation of storing Email because it is common for systems to utilize a Email server to store Email for recipients and if a group of recipients have all viewed the Email and no longer desire

Art Unit: 2143

the use of the stored Email on the Email server then it would be advantageous for the Email to be deleted so the Email server can have more space for other Emails that are to be sent.

19. As per claim 16, as closely interpreted by the Examiner, Dillon and Aronson do not specifically teach determining a period of time for which the Email communication will be stored; and

20. when the determined period of time has expired, deleting the stored Email communication by the Email communication program. Arnold teaches determining a period of time for which the Email communication will be stored, (e.g. col. 4, line 25 – col. 5, line 25); and

21. when the determined period of time has expired, deleting the stored Email communication by the Email communication program, (e.g. col. 4, line 25 – col. 5, line 25). It would have been obvious to one skilled in the art at the time the invention was made to combine Arnold with the combine system of Dillon and Aronson because of reasons disclosed above, furthermore, if a user has information that is forgotten for a period of time, the system could delete this information, therefore freeing up space in memory.

22. As per claim 17, as closely interpreted by the Examiner, Dillon teaches wherein the notifying of a recipient of the Email communication involves sending a distinct indicator Email communication to the recipient by the Email communication program, (e.g. col. 9, line 60 – col. 10, line 40).

Art Unit: 2143

23. As per claim 18, as closely interpreted by the Examiner, Dillon teaches including retrieving notifying instructions for a recipient by the Email communication program, and wherein the notifying of the recipient is performed according to the notifying instructions, (e.g. col. 3, line 36 – col. 4, line 41).

24. As per claim 19, as closely interpreted by the Examiner, Dillon and Aronson do not specifically teach wherein the notifying instructions are supplied by a sender of the Email communication. Arnold teaches wherein the notifying instructions are supplied by a sender of the Email communication, (e.g. col. 4, line 25 – col. 5, line 25). It would have been obvious to one skilled in the art at the time the invention was made to combine Arnold with Dillon because if the sender needed specific functions to be carried out with the Email communication it would be more efficient for a system to have the sender send instructions to a Email server to only allow specific recipients in a group to access the Email communication, delete the Email at a specific time, automatically send the Email to recipients at a specified time, etc.

25. As per claim 20, as closely interpreted by the Examiner, Dillon teaches wherein the notifying instructions are supplied by the recipient, (e.g. col. 3, line 36 – col. 4, line 41).

26. As per claim 21, as closely interpreted by the Examiner, Dillon and Aronson do not specifically teach wherein the notifying instructions are determined automatically by the Email communication program based on past interactions with the recipient. Arnold teaches wherein the notifying instructions are determined automatically by the Email communication program

Art Unit: 2143

based on past interactions with the recipient, (e.g. col. 5, line 25 – col. 6, line 49). It would have been obvious to one skilled in the art at the time the invention was made to combine Arnold with Dillon because it is a more efficient way to have a Email communication dealt with, therefore saving time on the users side.

27. As per claim 22, as closely interpreted by the Examiner, Dillon teaches wherein the notifying instructions indicate that the notifying is to be performed in an encrypted manner, (e.g. col. 9, line 60 – col. 10, line 14).

28. Claims 23, 24, 27 – 29, 37 – 39 and 41 - 43 are rejected for similar reasons as stated above.

29. Claims 14, 15, 25, 40 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon, Aronson, Arnold and in further view of Foladare et al. (6311210) (hereinafter Foladare).

30. As per claim 14, as closely interpreted by the Examiner, Dillon, Aronson and Arnold do not specifically teach when it is determined that the Email communication has been sent to all of the recipients and that none of the recipients have indicated that the Email communication is to be saved, deleting the stored Email communication by the Email communication program. Foladare teaches when it is determined that the Email communication has been sent to all of the recipients and that none of the recipients have indicated that the Email communication is to be

Art Unit: 2143

saved, deleting the stored Email communication by the Email communication program, (e.g. col. 3, lines 15 – 35). It would have been obvious to one skilled in the art at the time the invention was made to combine Foladare with the combined system of Dillon, Aronson and Arnold because if the Email communication is no longer needed, the user could have it deleted, therefore freeing up space on the system.

31. As per claim 15, as closely interpreted by the Examiner, Dillon, Aronson and Arnold do not specifically teach when it is determined that the Email communication has been sent to all of the recipients and that all of the recipients have indicated that the Email communication can be deleted, deleting the stored Email communication by the Email communication program.

Foladare teaches when it is determined that the Email communication has been sent to all of the recipients and that all of the recipients have indicated that the Email communication can be deleted, deleting the stored Email communication by the Email communication program, (e.g. col. 3, line 55 – col. 4, line 15). It would have been obvious to one skilled in the art at the time the invention was made to combine Foladare with the combined system of Dillon, Aronson and Arnold because in case a user makes the mistake of deleting information or is unsure if the information selected for deletion is correct, the system would have to have permission to delete the information. This could be used in a form of error checking.

32. Claims 25, 40 and 44 are rejected for similar reasons as stated above.

Art Unit: 2143

33. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dillon, Aronson, Arnold and in further view of Landfield et al. (5632011) (hereinafter Landfield).

34. As per claim 26, as closely interpreted by the Examiner, Dillon, Aronson and Arnold do not specifically teach automatically sending the Email communication to a non-recipient authorized to access the Email communication. Landfield teaches automatically sending the Email communication to a non-recipient authorized to access the Email communication, (e.g. col. 6, lines 60 – 67). It would have been obvious to one skilled in the art at the time the invention was made to combine Landfield with the combined system of Dillon, Aronson and Arnold because if there is Email communication data that would have information that is dangerous to the system an non-recipient authorized to access the Email communication, (i.e. administrator), could check it for harmful information that could damage the system.

Response to Arguments

35. Applicant's arguments with respect to claims 11 – 29 and 37 – 44 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Art Unit: 2143

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912.

The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England
Examiner
Art Unit 2143

De



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100